

In're Application of:  
Matthias G. von Herrath  
Application No.: 09/336,672  
Filed: June 17, 1999  
Page 4

PATENT  
Attorney Docket No.: SCRIP1100

### **REMARKS**

Claims 40, 41, 45, 46, 54, 55, 58-61, 69-79, 82, and 83 were pending prior to this Response. By the present communication, claims 54, 55, 58-61, 73-79, 82, and 83 have been cancelled without prejudice. No claims have been added or amended. Therefore, the amendment adds no new matter. Accordingly, upon entry of the amendments claims 40, 41, 45, 46, and 69-72 will be pending, which pending claims have been indicated to be allowed.

### **The Rejection under 35 U.S.C. § 112, First Paragraph**

Applicants respectfully traverse the rejection of claims 54, 55, 58-61, 73-79 and 82-83 under 35 U.S.C. § 112, first paragraph, as allegedly failing to comply with the written description requirement. In the present communication claims 54, 55, 58-61, 73-79 and 82-83 have been cancelled without prejudice, rendering the grounds of the rejection moot. Accordingly, Applicants respectfully request reconsideration and withdrawal of the rejection of claims under the written description requirement of 35 U.S.C. § 112, first paragraph.

In view of the above amendments and remarks, and the indication of allowance of claims 40, 41, 45, 46 and 69-72, passage of the application to allowance is respectfully requested.

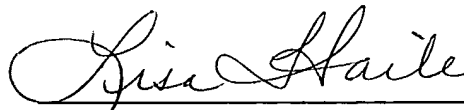
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Page 5

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If the Examiner would like to discuss any of the issues raised in the Office Action, the Examiner is encouraged to call the undersigned so that a prompt disposition of this application can be achieved.

Respectfully submitted,

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